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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/312,740	05/14/1999	DOUGLAS F. BEAVEN	108473.114	2986

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GORDON E NELSON
PATENT ATTORNEY, PC
57 CENTRAL ST
PO BOX 782
ROWLEY, MA 01969

EXAMINER

KRSCIUNAS, LINDA MARY

ART UNIT PAPER NUMBER

3623

DATE MAILED: 06/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/312,740

Applicant(s)

BEAVEN, DOUGLAS F.

Examiner

Linda Krisciunas

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--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 12 June 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: 197 and 210.
Claim(s) rejected: 187-210.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Attachment A.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____.
13. ☐ Other: _____.

DETAILED ACTION

1. This is a Final Office Action in response to the applicant's response filed March 15, 2006. Claims 187-210 are pending. Claims 187-188, 190-193, and 198 have been amended.

Response to Amendment

2. The Examiner has reviewed and accepted the amended language of claims 187, 191 and 192 and withdraws the 35 U.S.C. 112, second paragraph rejection.

Response to Arguments

3. The Examiner has fully considered the applicant's arguments and they are deemed mute in light of the new rejection listed below.

Claim Objections

4. Claims 197 and 210 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

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applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 187-194 and 197-210 are rejected under 35 U.S.C. 102(e) as being anticipated by Buteau et al (US 6,442,557).

As per claim 187, Buteau teaches a processor which has access to a representation of a model of the business, the model including representations of model entities, a given representation of a model entity being capable of simultaneously belonging to hierarchies including a hierarchy and another hierarchy, and the representations of model entities providing access to information relating to the business (column 15, lines 25-38, where people can access information on enterprise processes to read or modify the information. Column 9, lines 59-67, where there is a hierarchical organization charts and column 10, lines 6-20, where the hierarchical organization can belong to another hierarchical organization); and an interface to the system, the interface provided by the processor and the interface receiving first inputs from the person, the processor responding to the first inputs by outputting the representations of the model entities, of the hierarchies, and/or of the information to which the model entities provide access in tangible form and further receiving second inputs from the person to which the processor responds by modifying the representations of the model entities, the hierarchies, and/or the information to which the representations of the model entities provide access (See Figure 5, where there are various access types and as noted in column 15, lines 28-30, the user can modify the information. Also noted in column 2, lines 35-67, specifically: "The database

program is capable of allowing users to input and search for how architectural changes to the enterprise affects the enterprise architecture. A screen is generated on which a user inputs a search to show the impact that a specific entity has on the enterprise architecture."); use representations of the model entities that belong to hierarchies including a hierarchy and another hierarchy, and the representations of model entities providing access to information relating to the business for the purpose of efficiently organizing and accessing information (column 5, lines 26-32, where the system is a framework for organizing information about specific information models. See also column 9, lines 59-63 and column 10, lines 6-10, where the enterprise is a hierarchical group of people and the organization may be part of another organization. See also Figure 4.).

As per claim 188, Buteau teaches sorting according to a hierarchy structure for the purpose of providing a more efficient means for storing and accessing information (column 9, lines 59-63 and column 7, lines 36-58, where there is a hierarchical structure and the work flow model includes entities, including an information access entity where people working in the enterprise can access information in repositories in different ways).

As per claim 189, Buteau teaches the model entity includes representations of the information. (column 5, lines 26-32, where the system is a framework for organizing information about specific information models)

As per claim 190, Buteau teaches an interface for inputs the processor sorts the entities according to values of the included representations of information.

(communication interface (118) and Figure 8 and column 22, lines 20-30, where there is an input screen to input information into the database. The interface can also be used for queries.)

As per claim 191, Buteau teaches there is a plurality of types of model entities, a representation of a model entity specifies the represented model entity's type (column 5, lines 26-32, where the system is a framework for organizing information about specific information models).

As per claims 198-206, they recite substantially the same limitations as 187-191 with the distinction of the recited system being a method. Hence the same rejections apply for claims 198-206 as applied for claims 187-191.

As per claim 192, Buteau teaches the model has further representations of further information that are related to the model entities (column 21, lines 13-25, where there are multiple service layers and multiple relationships between the layers); the processor responds to further inputs of the first input by outputting the representations of the further information and receives further inputs of the second inputs to which the processor responds by accessing the related further information (column 21, lines 45-48 and column 22, lines 1-14, where the service layer entity depends on the service model entity and is used by the service set entity where the service models, layers, sets and services are an abstract way of specifying the technology components of an enterprise architecture. They are often required to specify a new architecture and associate different technology components with different service models.).

As per claim 193, Buteau teaches the interface to receive further inputs of the second inputs to which the processor responds by modifying the further information (communication interface (118) and Figure 8 and column 22, lines 20-30, where there is an input screen to input information into the database. The interface can also be used for queries).

As per 194, Buteau teaches the additional information is a document that is accessible to the system (see column 2, line 38: data structure).

As per 197 and 210, Buteau teaches a data storage device (see column 2, line 43: database).

As per claims 207-209, they recite substantially the same limitations as claims 192-196 with respect to the number of indications received. Hence the same rejections apply for claims 207-209 as applied for claims 192-196.

7. Claims 195 and 196 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buteau.

As per 195, Buteau does not explicitly teach information is a message sent to a person by another person. Official notice is taken that both the concept and advantage of sending messages between people is well known and expected in the art. It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided a messaging system between people in a processing management system to provide a more efficient means of communicating information.

As per claim 196, Buteau does not explicitly teach there is an information discussion concerning the model entity among the persons. Official notice is taken that

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both the concept and advantage of discussing model entities (projects etc) between people (team members) is well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have provided a discussion means between people to provide a more efficient means of communicating project/management related information

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

9. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following art also teaches about hierarchical organization

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structures that allow modifications: Buteau et al (US 6,442,557) and Hill et al (US 6,670,973), Cheng et al (US 6,067,548), Puri et al (US 6,751,622).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Linda Krisciunas whose telephone number is 571-272-6931. The examiner can normally be reached on Monday through Friday, 6:30 am to 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 571-272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LMK

LMK
April 3, 2006


TARIQ R. HAFIZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

ATTACHMENT A

The following is an Advisory action in response to the applicant's after final amendment filed June 12, 2006. Claims 187-210 are pending.

Response to Arguments

The Examiner has fully considered the applicant's arguments and they are deemed not persuasive. Buteau et al (US 6,442,557) teaches about supporting the management of a business and is a model of the business as indicated in Figure 4-5 where the system shows the interconnections of the various entities of a business and its people, which directly correlates to supporting the management of a business. In addition, column 2, lines 53-54 which indicates the entities are defined in terms of a work flow model, an information model or a technology model, whereby a workflow model would inherently be something that supports the management of a business and would also be a model of the business. See also column 16, lines 28-33 where Buteau teaches the information entity types can be organized as a hierarchy of information types, including customer data, financial data, personnel data etc and subtypes include customer orders, business agreements etc. These are all indicative of items used to support the management of a business.

In addition Buteau teaches in column 13, lines 5-11 how the information relationship entity describes the different types of information used by an enterprise are produced (output) or consumed (input) including attributes that specify the relationship's input or output properties, whereby these properties are information of the entities and they provide access to the contained information. Buteau also teaches a user interface

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as indicated by (118) communication interface in column 4, lines 64-65 and Figure 3.

The interface outputs representations of the entities as indicated in Figure 10 where the customer data information depicted is listed in a hierarchical order as indicated by the numbering scheme (1.1.1, 1.1.2 etc). Lastly, Buteau teaches the entities providing access to the information in column 5, lines 43-62 and column 7, lines 35-50. Buteau teaches the entities are information access types and the information access entity includes information recording the relationship between a process role and information repository. "To perform different roles in support of an enterprise process, people working in the enterprise need to be able to access information in repositories in different ways." Which means these entities are allowing access to information.